



May 4, 2023

Hon. Jennifer L. Rochon  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

VIA ECF ONLY

Re: *Coker v Goldberg & Associates P.C.* 1:21-cv-1803-JLR  
RESPONSE TO DEFENDANTS' EXTENSION REQUEST

Your Honor:

On behalf of Plaintiff we ask that you deny Defendant's motion to extend time by two weeks to respond to our letter motion. Counsel failed to consider the Court's Individual Practice Standards § I. F<sup>1</sup>; two weeks is too much; and while sensitive to the intensive nature of trial preparation, on behalf of the Plaintiff we cannot acquiesce to any further delays, given the history of this case.

Plaintiff's discovery dispute letter was filed in conformance with the memo endorsement saying, "Plaintiff shall make any request with respect to discovery deficiencies no later than April 28, 2023." Dkt. 11. Pursuant to the Court's Individual Practice Standards § I.E. regarding discovery dispute letters, "If the opposing party wishes to respond to the letter, it must inform the Court within one business day that a responsive letter is forthcoming and file the letter within three business days." Defendant filed their motion to extend on Wednesday, May 3, which is the 3<sup>rd</sup> business day after Plaintiff's letter. They are therefore already late on their submission.

If the Court is inclined to permit a substantive response anyway, despite these multiple problems, we would ask that they only be given a day or two from the date of the Court's order on their motion to extend to file their response. However, we think that under the circumstances the Court should simply deny their request and make a ruling on the letter motion without a response.

Sincerely,

Penn Dodson, Esq.

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